REMARKS/ARGUMENTS

The non-final Office Action of June 22, 2007 has been carefully reviewed and these remarks are responsive thereto. Claims 87, 99, 113, and 126 have been amended, no claims have been cancelled, and no new claims have been added. Claims 79-128 remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 79-128 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,363,400 (*Chtchetkine*) in view of U.S. Patent Appl. Publ. No. US 2002/0144155 (*Bate*). Applicants respectfully traverse these rejections for at least the following reasons.

Claim 79 recites, in part, "receiving via the operating system a user request to share one or more of the items in the virtual folder with one or more sharees." The Office Action alleges that *Chtchetkine* teaches receiving a user request to share items with sharees at Fig. 5; col. 9, lines 58-67; and col. 11, lines 22-35. Applicants respectfully disagree. Although *Chtchetkine* discloses a virtual file system, it does not disclose or even relate to sharing files with other users. Thus, it fails to teach or suggest receiving a user request to share items in a virtual folder with one or more sharees. The relied-upon portions of *Chtchetkine's* specification are reproduced below:

Col. 9, lines 58-67.

> In accordance with the Windows NT operating system, the control application **270** preferably communicates with the virtual file system driver **160** by issuing control commands via DeviceIoControl API of Win32 subsystem. The virtual file system driver **160** communicates with the control application **270** by signaling an event object that is shared between the virtual file system driver **160** and the control application **270**. When the control application **270** detects that the event object is in the signaled state, the control application **270** issues control commands to the virtual file system driver **160** and obtains the requested data. The

Col. 11, lines 22-35.

> In order to support calls directed from components of the
> virtual file system driver 160 to the control application 270,
> the control command handler 163 and the control applica-
> tion 270 use a shared event object that is set to signaled state   25
> when the control command handler needs to call the control
> application 270. When the control application 270 detects
> that the shared event object is set to the signaled state, it
> sends a special request (as described above) to the control
> command handler 163. After handling this special request   30
> the control command handler 163 returns to the control
> application 270 a description of the required data. After the
> control application 270 receives the required data
> description, the control application 270 prepares the
> required data and calls the control command handler 163,   35
> submitting the required data as request parameters.

Neither these sections nor Fig. 5 of *Chtchetkine* discloses sharing virtual folder items with other users. Fig. 5 shows a flow chart for mounting a virtual file system including receiving a mount request at the virtual file system driver, but does not teach or suggest sharing items with sharees. The above sections of *Chtchetkine* discuss communication between the operating system and the virtual file system driver using a shared event object, but this shared event object does not support or relate to file sharing. Therefore, no portion of *Chtchetkine* including those relied upon in the action teaches or suggests "receiving via the operating system a user request to share one or more of the items in the virtual folder with one or more sharees" as recited in claim 79. *Bate* fails to overcome these deficiencies of the *Chtchetkine*. Thus, the combination of *Chtchetkine* and *Bate*, even if proper, does not result in the claim 79 invention and claim 79 is not obvious in view of the cited references.

The additional independent claims 91, 103, and 116 similarly recite receiving a request to share one or more of the items in the virtual folder with one or more sharees, and are thus not obvious in view of *Chtchetkine* and *Bate* for at least the same reasons.

Furthermore, claim 79 recites setting permissions on one or more shared virtual folder items to provide the sharees access to the items, "wherein setting permissions comprises setting an operating system permission property on each of the one or more shared virtual folder items." The Office Action correctly indicates on page 4 that *Chtchetkine* that does not teach this feature, but then alleges that sections [0088]-[0091] of *Bate* discloses setting permissions on virtual folder

items to provide sharee access to items. However, even if *Bate* discloses setting permissions on virtual folder items, the only techniques described in *Bate* for setting permissions involve 'security tagging' the items by enclosing an encoded set of users and permissions in brackets within the items. (See [0093]-[0101]). In all techniques disclosed or contemplated by *Bate*, there is an underlying assumption that the virtual folder items have already been properly shared out by the native file system. Thus, *Bate* does not teach or suggest setting permissions by "setting an operating system permission property" on the shared virtual folder items, as recited in claim 79.

Applicants further note that the Office Action does not specifically allege that *Bate* teaches this feature and fails to clearly identify a section within *Bate* that discloses setting operating system permission properties. The Office Action merely states on page 4, "Bate teaches setting or accessing permissions to the folder containing a plurality of sharable digital data files." Thus, the Office Action does not identify a section within either *Chtchetkine* or *Bate* that discloses setting permissions by "setting an operating system permission property" on the shared virtual folder items, and therefore fails to establish a *prima facie* case of obviousness. The Applicants also cannot find any teaching within *Chtchetkine* or *Bate* of setting operating system permission properties, and thus submit that the combination of these references does not result in the claim 79 invention and claim 79 is not obvious in view of the cited art. Applicants also respectfully request that if a subsequent office action substantively addresses the claims, such Action should be non-final to provide Applicants an opportunity to respond to such rejections when first presented.

Independent claim 91 similarly recites, "wherein setting permissions comprises setting an operating system permission property on each of the one or more shared virtual folder items," and independent claims 103 and 116 each recite, "in response to the sharing request, setting by the operating system user-access permissions on the one or more shared virtual folder items in the file system." Thus, independent claims 91, 103, and 116 and are not obvious over *Chtchetkine* and *Bate*, alone or in combination, for at least the same reasons discussed above regarding claim 79. Dependent claims 80-90, 92-102, 104-115, and 117-128 are allowable for the same reasons as their respective base claims, and further based on the additional features recited therein.

For example, dependent claim 81 recites, "wherein setting permissions on the one or more shared virtual folder items comprises verifying that an operating system file share exists from which a first shared virtual folder item can be accessed remotely," and claim 82 further recites, "the permissions on the operating system file share are set so as to allow the one or more sharees to access the first shared virtual folder item." The Office Action appears to assert on pages 4-5 that *Bate* teaches verifying that an operating system file share exists. However the Action fails to clearly identify where in the *Bate* reference that this feature is allegedly taught. Although certain sections of *Bate* (e.g., [0215]) discuss remote access to data items, the term "file share" is not mentioned anywhere in *Bate*, nor is any equivalent concept. Accordingly, claims 81 and 82 are allowable over *Chtchetkine* and *Bate* for at least this additional reason.

Additionally, claim 84 recites, "verifying that a firewall on the operating system will allow the one or more sharees to access the one or more shared virtual folder items." The Office Action alleges that *Bate* discloses this feature in section [0023]. Applicants respectfully disagree. *Bate* mentions that web servers typically have firewalls to detect or prevent unauthorized access to server resources. However, the mere acknowledgement that firewalls exist is not the same as "verifying that a firewall on the operating system will allow the one or more sharees to access the one or more shared virtual folder items" as recited in claim 84. Such a feature is neither taught nor suggested by *Bate*. Accordingly, claim 84 is allowable over *Chtchetkine* and *Bate* for this additional reason.

Amended claim 87 recites, "receiving a query at the operating system from one of the sharees and providing to the sharee in response a list of all of the items in the file system that are shared out to the sharee." Since neither *Chtchetkine* nor *Bate* teach or suggest a technique by which a user can query to retrieve the list of items that have been shared out to that user, amended claim 87 is also allowable over *Chtchetkine* and *Bate*.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance

or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3324.

Respectfully submitted,

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